IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 29TH NOVEMBER 2006 / 8TH AGRAHAYANA 1928

WP(C).No. 6845 of 2006(M)

PETITIONER:

T.V. LEELAMMA,
B.ED. STUDENT, NIRMALA SADAN TRAINING COLLEGE FOR SPECIAL EDUCATION, MUVATTUPUZHA-686661,RESIDING AT MARACHERY PUTHENPURAYIL, KUTHUKUZHY P.O., KOTHAMANGALAM.

BY ADV. SRI.K.JAJU BABU
SMT.M.U.VIJAYALAKSHMI

RESPONDENTS:

MAHATMA GANDHI UNIVERSITY,
PRIYADARSINI HILLS, KOTTAYAM, REPRESENTED BY ITS REGISTRAR.

BY ADV. SRI.V.A.MUHAMMED, SC, M.G.UNIVERSITY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

P1 MEDICAL CERTIFICATE DT 31.3.2001.

P2 CERTIFICATE DT 4.5.05.

P3 MARKLIST OF FINAL YEAR B.COM DT 21.2.89.

P4 B.COM DEGREE CERTIFICATE DT 2.1.90.

P5 M.COM DEGREE CERTUFUCATE DT 7.10.93.

P6 APPLICATION FORM AND PORSPECTUS FOR B.ED.

P7 IDENTITY CARD OF THE PETITIONER.

P8 TC GIVEN TO THE PETITIONER DT 2.6.06.

TRUE COPY

P.A. TO JUDGE

C.N. RAMACHANDRAN NAIR, J.

W.P. (C) No. 6845 OF 2006 M

Dated this the 29th day of November, 2006

J U D G M E N T

Eventhough petitioner was admitted for B.Ed course in the Nirmala Sadan Training College, Muvattupuzha affiliated to the Mahatma Gandhi University, petitioner was not qualified to write examination for want of average 45% marks in all the three parts in the degree examination. Since the college admitted the petitioner without verifying petitioner's eligibility for admission with reference to marks, this court permitted the petitioner to write the examination under interim orders. Standing counsel submitted that during the year petitioner joined the college, average 45% marks was required in all the three parts. However, for previous and subsequent years, the 45% was required only in part III, which petitioner has, after allotting 2% weightage for post graduation. In the circumstances and since petitioner completed the course after admission given by the college affiliated to M.G.University, writ petition is disposed of directing the University to publish result and award degree treating the petitioner's admission as proper. However, it is open to the University to take appropriate action against the said college and the Principal for admitting the petitioner, who did not have the required marks for admission.

(C.N. RAMACHANDRAN NAIR, JUDGE)

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